

# JOURNAL OF THE HOUSE.

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Monday, July 27, 2015.

Met at six minutes after eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of allegiance.

### *Petition.*

By Messrs. Whelan of Brewster and Tucker of Salem, a petition (subject to Joint Rule 12) of Timothy R. Whelan, Paul F. Tucker and others relative to the trafficking of Fentanyl; and the same was referred, under Rule 24, to the committee on Rules. Fentanyl,— regulations.

### *Papers from the Senate.*

#### Bills

Creating uniform beach warnings (Senate, No. 1956, amended in line 5 by adding the following sentence: "The purpose of the program shall be to warn the public of drowning and injury hazards presented by changes in tide and surf conditions.", in line 6 by striking out the following: "(b)" and inserting in place thereof the following subsection: "(b) If the department defines any safety flags as warnings of health hazards presented by the quality of the beach water, such definitions shall be based on water quality testing procedures that ensure the warnings are timely, frequently updated, and reflect, to the maximum extent feasible, the actual water conditions at the time the flags are posted and for the duration of their posting. Beach warnings.

(c)"; and in line 8 by adding the following sentence: "Subsection (a) shall take effect in a city with a Plan D or Plan E charter by a vote of the city council upon submission by the city manager and in all other cities by a vote of the city council with the approval of the mayor and in a town with a town council, by vote of the town council and in all other towns, by a vote of the town meeting.") (on a petition); and

Providing for the establishment of a comprehensive adaptation management plan in response to climate change (Senate, No. 1979) (on Senate bill No. 1973); Climate change.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A Bill relative to the Templeton Development Center Reuse Committee (Senate, No. 1083) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Templeton Development Center Reuse Committee.

The following notice was received from the Clerk of the Senate, to wit:—

July 27, 2015.

Honorable Robert A. DeLeo  
*Speaker of the House of Representatives*  
Room 356, State House  
Boston, MA 02133

Dear Mr. Speaker:

Changes in committees.

I have the honor to inform you that the Honorable Stanley C. Rosenberg, President of the Senate has announced the following appointments and changes to various committees that have been ratified by the Democratic Caucus:

Senator Barbara A. L'Italien as the Senate Chair of the Joint Committee on Consumer Protection and Professional licensure;

Senator Kenneth J. Donnelly as the Senate Chair of the Joint Committee on Election Laws;

Senator Anne M. Gobi as the Senate Vice Chair of the Joint Committee on Veterans and Federal Affairs; and

Senator Kathleen O'Connor Ives as a member of the Senate Committee on Ways and Means and as a member of the Joint Committee on Ways and Means; and

New England Board of Higher Education.

The President also announced the appointment of Senator Marc R. Pacheco (pursuant to Chapter 589 of the Acts of 1954) as the Senate delegate to the New England Board of Higher Education.

Respectfully submitted,

WILLIAM F. WELCH,  
*Clerk of the Senate.*

*Reports of Committees.*

Lowell,— fire chief.

By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill exempting the position of fire chief in the city of Lowell from the civil service law (House, No. 3620) [Representative DuBois of Brockton dissenting] [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Nangle of Lowell, for said committee, then reported recommending that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under further suspension of the rules, on motion of Mr. Nangle, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third; and it was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

Holyoke,— sewer fees.

Relative to unpaid sewer use charges in the city of Holyoke (House, No. 1872) [Local Approval Received];

Duxbury,— housing trust.

Relative to an affordable housing trust in the town of Duxbury (House, No. 3325) [Local Approval Received];

Relative to an amendment of the act providing for a town manager in the town of Duxbury, Chapter 353, Acts of 1987 (House, No. 3343) [Local Approval Received];

Duxbury,—  
town  
manager.

Establishing a sick leave bank for Michela T. Paone-Stuart [sic] an employee of Massachusetts Department of Correction (House, No. 3609);

Michela  
Paone-Stuart.

Establishing a sick leave bank for Catherine Kungu, an employee of the Department of Developmental Services (House, No. 3653); and

Catherine  
Kungu.

Establishing a sick leave bank for Jeremy Bray, an employee of the Department of Correction (House, No. 3657);

Jeremy  
Bray.

Under suspension of Rule 7A, in each instance, on motion of the same member, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Mr. Schmid of Westport, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Resolve to establish a special commission to perform an investigation and providing for a study relative to the long term management, maintenance and future use of the Boston Harbor Long and Moon Islands (House, No. 617, changed in line 7 by inserting after the word "Speaker," the words "the secretary of the commonwealth or his designee,")

Boston  
Harbor  
islands,—  
study.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a message from His Excellency the Governor, a Bill establishing a State Workforce Development Board (printed in House, No. 3570).

Workforce  
Development  
Board.

Severally read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Schmid of Westport, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill prohibiting the leasing of certain real property known as outer Brewster Island in Boston Harbor (House, No. 619).

Brewster  
Island,—  
land.

By the same member, for the same committee, on a petition, a Bill relative to access to the Hollingsworth Dam (House, No. 745).

Hollingsworth  
Dam,— access.

By the same member, for the same committee, on House, No. 620, a Bill relative to the Division of Waterways to dredge Quincy Bay (House, No. 3689).

Quincy Bay,—  
dredging.

By Mr. Sánchez of Boston, for the committee on Health Care Financing, on Senate, No. 608 and House, No. 2048, a Bill to eliminate racial and ethnic health disparities in the Commonwealth (House, No. 2048) [Cost: Greater than \$100,000.00].

Health,—  
racial and  
ethnic  
disparities.

By Mr. Scibak of South Hadley, for the committee on Labor and Workforce Development, on a petition, a Bill to promote employment (House, No. 1698).

Job  
training.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Schmid of Westport, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to nitrogen loading easements in the town of Sterling (House, No. 3244) [Local Approval Received].

Sterling,—  
easements.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Pembroke to use water supply and conserva-

Pembroke,—  
land.

tion land for public way purposes (House, No. 3594) [Local Approval Received].

Youth sports,—  
referees.

By Mr. Scibak of South Hadley, for the committee on Labor and Workforce Development, on Senate, No. 978 and House, No. 1690, a Bill regarding youth sports referees (House, No. 1690).

Entertainment  
exhibitions,—  
participants.

By the same member, for the same committee, on a petition, a Bill relative to participants in entertainment exhibitions (House, No. 1695, changed in section 2, in line 8, by inserting before the word “in”, the third time it appears, the words “for a limited period”).

Employee  
ownership,—  
notification.

By the same member, for the same committee, on a petition, a Bill relative to job creation through employee ownership (House, No. 1740) [Representatives McKenna of Webster and Orrall of Lakeville dissenting].

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Francis X.  
Noe,—  
benefits.

By Mr. Murphy of Weymouth, for the committee on Public Service, on a joint petition, a Bill relative to the retirement benefits of the surviving beneficiary of Francis X. Noe (House, No. 3376). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Nangle of Lowell, for said committee, then reported that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting for a second reading.

Somerset,—  
fund.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the Bill to increase the allowable expenditure limit of a Fire Department Emergency Medical Services Revolving Fund in the town of Somerset (House, No. 3573) [Local Approval Received], be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading.

#### *Emergency Measure.*

John J.  
Monahan,—  
sick leave.

The engrossed Bill establishing a sick leave bank for John J. Monahan, an employee of the Trial Court (see Senate, No. 1969), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 6 to 0. Sent to the Senate for concurrence.

Bill  
enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

#### *Engrossed Bills.*

Susan  
Welliver,—  
sick leave.

The engrossed Bill establishing a sick leave bank for Susan Welliver, an employee of the Massachusetts Department of Transportation (see Senate, No. 1954) (which originated in the Senate), in respect to which

the Senate had concurred in the adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill further regulating the Community Events Fund in the town of Wareham (see Senate, No. 1099, amended) (which originated in the Senate) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill re-enacted.

Engrossed bills

Authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain parcels of land in the town of North Reading to the town of North Reading (see House, No. 66); and

Bills enacted.

Exempting all offices and positions in the Department of Public Works in the town of Stoughton from the civil service law (see House No. 3280);

(Which severally originated in House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

The Senate amendments of the House Bill establishing a sick leave bank for Janet Maslowski, an employee of the Franklin/Hampshire Juvenile Court (House, No. 3364), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

Janet Maslowski,—sick leave.

The House Bill authorizing the town of Tyngsborough to grant additional licenses for the sale of alcoholic beverages (House, No. 3368), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Tyngsborough,—alcoholic beverages.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 3691), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the town of Stoughton to grant 6 licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3373), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Stoughton,—alcoholic beverages.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title [sic], which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. [sic]

*Recess.*

Recess.

At twenty-four minutes before twelve o'clock noon, on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at ten minutes after twelve o'clock noon, the House was called to order with Mr. Donato in the Chair.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

Next  
sitting.

*Ordered,* That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

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At ten minutes after twelve o'clock noon, on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.